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10/713,429

11/17/2003

Kelly E. Rollin

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/713,429	Applicant(s) ROLLIN ET AL.	
	Examiner Etienne P. LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28 and 30-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28 and 30-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/1/2008 has been entered.

Claim Status

Claims 28, and 30-63 are pending.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required. The limitation “determining whether there is sufficient memory available on the PSD” recited in at least claim 38 is not supported in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 28, 30-35, 40-47 and 52-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carman (US 2003/0046567) in view of Stegink et al (US2004/0215278).

Regarding claim 28, 40 and 52, Carman discloses:

upon detecting a connection of a Portable Storage Device (PSD) [Fig 1, memory card 100] to a computing device [paragraph 3, desktop computer]

scanning the PSD for an indication of an existing user profile containing data files, application settings and user environment settings, wherein the user environment settings comprise a user's desktop configuration, start menu configuration or other operating system shell configurations [Fig 4, step 415, paragraph 39, user access request is valid, paragraph 27, username, password and URL of the web page are stored in the memory card's memory]

Carman discloses the elements of the claimed invention as noted above but does not disclose in response to detecting that no existing user profile is found on the PSD, automatically launching a user profiled connection wizard that enables the user to create a user profile on the PSD wherein the user profile configuration wizard allows a user to select which content data will be synchronized between the PSD and the computing device. Stegink in response to detecting that no existing user profile is found on the PSD, automatically launching a user profiled connection wizard that enables the user to create a user profile on the PSD wherein the user profile configuration wizard allows a user to select which content data will be synchronized between the PSD and the computing device [Stegink, paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carman to include in response to detecting that no existing user profile is found on the PSD, automatically launching a user profiled connection wizard that enables the user to create a user profile on the PSD wherein

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the user profile configuration wizard allows a user to select which content data will be synchronized between the PSD and the computing device as taught by Stegink for the purpose of automatically loading and presenting screen prompts for inputs from the user [paragraph 14].

Regarding claim 30, 42, 54, the combination of Carman and Stegink discloses wherein the content data comprises a plurality of different types of data [Carman, paragraphs 40, 41]

Regarding claim 31, 43, 55, the combination of Carman and Stegink discloses wherein the plurality of different types of data include one or more contacts, multimedia files, calendar data, and documents [Carman, paragraphs 40, 41]

Regarding claim 32, 44, 56, the combination of Carman and Stegink discloses wherein for each of the plurality of types of data, the user may select all, some, or none of the data [Carman, paragraph 27]

Regarding claim 33, 41, 45, 53, 57, the combination of Carman and Stegink discloses the step of synchronizing the selected content data with data on a later-connected PSD [Carman, paragraph 41]

Regarding claim 34, 46, 58, the combination of Carman and Stegink discloses wherein the content data comprises user settings [Carman, paragraph 27]

Regarding claim 35, 47, 59, the combination of Carman and Stegink discloses prompting the user to select for synchronization all, some or none of the user settings [Carman, paragraph 41]

Regarding claim 50, 62, the combination of Mitchelmore and Kaplan discloses determining whether there is sufficient memory available on the PSD to store a user profile [Mitchelmore, paragraph 5].

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Claims 36, 48 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Carman and Stegink in view of Ananian (Pub No US 2003/0028451), hereafter Ananian.

Regarding claim 36, 48, 60, the combination of Carman and Stegink discloses the elements of the claimed invention as noted above but does not disclose the step of displaying, if the user chooses some of the user settings for synchronization, a list of user settings to the user. Ananian discloses the step of displaying, if the user chooses some of the user settings for synchronization, a list of user settings to the user [claim 17]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include above limitation as taught by Ananian for the purpose of managing personalized user profiled catalogs [abstract] .

Regarding claim 37, 49, 61, the combination of Carman, Stegink and Ananian discloses the elements of the claimed invention as noted above but does not disclose wherein each item in the list of user settings is accompanied by a checkbox that, if check, selects the item for synchronization. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein each item in the list of user settings is accompanied by a checkbox that, if check, selects the item for synchronization for the purpose of providing a quick and easy means for the user to make a selection of a desired action.

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Claims 38, 39, 50, 51, 62, 63, are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Carman and Stegink in view of Horvitz (US 2003/0154282).

Regarding claim 38, 50, 62, the combination of Carman and Stegink discloses the elements of the claimed invention as noted above but does not disclose determining whether there is sufficient memory available on the PSD to store a user profile. Horvitz discloses determining whether there is sufficient memory available on the PSD to store a user profile [claim 41]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include determining whether there is sufficient memory available on the PSD to store a user profile as taught by Horvitz for the purpose of determining whether to change the storage capacity [claim 41].

Regarding claim 39, 51, the combination of Carman, Stegink and Horvitz discloses wherein if there is sufficient memory available on the PSD to store a user profile, selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile [Carman, paragraph 27]

Regarding claim 51, 63, the combination of Carman, Stegink and Horvitz discloses the elements of the claimed invention as noted above but does not disclose wherein if there is not sufficient memory available on the PSD to store a user profile, offering to free up storage space on the PSD by deleting files stored on the PSD selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein if there is not sufficient memory available on the PSD to store a user profile, offering to free up storage space on the PSD by deleting files stored

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on the PSD selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile for the purpose of conserving resources by making the best utilization of the present memory.

Response to Arguments

Applicant's arguments filed 10/1/2008 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Etienne P LeRoux/

Primary Examiner, Art Unit 2161

11/6/2008